

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

ANJALI PHUKAN CHATELLE
3601 Captains Corridor
Greenbackville, VA 23356

Plaintiff,

v.

STATE OF MARYLAND
THE MARYLAND LOTTERY AND GAMING
CONTROL AGENCY
Washington Park Business Center
1800 Washington Blvd., Suite 330
Baltimore, MD 21230

Defendant.

* * * * *

Civil Action No. _____

NOTICE OF REMOVAL

The State of Maryland, Maryland Lottery and Gaming Control Agency Defendant (the “Agency”), by their undersigned counsel, hereby gives notice, pursuant to 28 U.S.C. 1441 and 1446, of the removal of this action from the Circuit Court for Worcester County, Maryland to the United States District Court for the District of Maryland, Northern Division.

1. Plaintiff filed a three (3) count Complaint (the “Complaint”) in the Circuit Court for Worcester County, Maryland on May 27, 2021. A copy of the Summons received by the Agency is attached as Exhibit 1, and a copy of the Complaint with its exhibits is attached as Exhibit 2.

2. Defendant was served with the complaint on June 15, 2021. Exhibit 3, Case Information sheet at page 3.

3. In the Complaint, Plaintiff asserts both federal and state law causes of action. In counts One and Two, Plaintiff asserts federal claims arising under 42 U.S.C. § 2000e-2 and seeks compensatory and punitive damages pursuant to 42 U.S.C. 1981. Complaint ¶¶ 36, 44, 45, 54. In Count Three Plaintiff asserts federal claims arising under 42 U.S.C. § 2000e-3 and seeks compensatory and punitive damages pursuant to 42 U.S.C. 1981. *Id.* at ¶¶ 55, 60. In all Counts, Plaintiff also asserts state claims.

2. Under 28 U.S.C. § 1331, “[t]he district courts shall have original jurisdiction of all civil actions arising under the Constitution, laws, or treaties of the United States.” Therefore, this Court has original jurisdiction over the federal causes of action asserted in Counts One through Three. The Court has supplemental jurisdiction over the state law causes of action pursuant to 28 U.S.C. § 1367.

4. Because this Court has original jurisdiction under 28 U.S.C. § 1331, this action may be removed to this Court pursuant to 28 U.S.C. 1441(a).

5. Removal is timely under 28 U.S.C. §1446(b)(2). The State of Maryland Defendants were served, via service on the Attorney General of Maryland, on June 15, 2020. Therefore, the deadline for removal is July 29, 2020. *See* 28 U.S.C. § 1446(b)(1).

6. Pursuant to Local Rule 103.5, true and legible copies of all process, pleadings, documents and orders which have been served upon the Defendants are filed with this Notice of Removal. See Exhibits 1, 2. Moreover, as no other pleadings have been filed in the Circuit Court for Worcester County, this Notice of Removal shall constitute certification, pursuant to Local Rule 103.5, that all papers filed with the Circuit Court for Somerset County have now been filed in this Court.

7. Defendant will promptly file a copy of this notice with the Clerk of the Circuit Court of Somerset County, as required by 28 U.S.C. §1446(d).

WHEREFORE, based on the foregoing, the State of Maryland Defendants respectfully request that this Court accept its Notice of Removal, and accept jurisdiction over and docket this action in this Court.

Respectfully submitted,

BRIAN E. FROSH
Attorney General of Maryland

/s/ Erik J. Delfosse

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July 12, 2021

*Attorneys for Defendant State of Maryland;
Maryland Lottery and Gaming Control Agency*

CERTIFICATE OF SERVICE

I certify that, on this 12th day of July, 2021 the foregoing was served by first-class mail on:

Anjali Phukan Chatelle
3601 Captains Corridor
Greenbackville, VA 23356

/s/ Erik Delfosse

Erik Delfosse